APPENDIX V

[*Vide* item VIII (4)]

L.A. Bill No. 30 of 1970.

(As passed by the Assembly)

A Bill further to amend the Tamil Nadu Agricultural Produce Markets Act, 1959.

BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-first Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Agricultural Produce Markets (Second Amendment) Act, 1970.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. *Amendment of section* 6, *Tamil Nadu Act* 23 *of* 1959.—In section 6 of the Tamil Nadu Agricultural Produce Markets Act, 1959 (Tamil Nadu Act 23 of 1959) (hereinafter referred to as the principal Act), in sub-section (3), in clause (iv) for the word " cess," the word "fee" shall be substituted.

3. *Amendment of section* 18, *Tamil Nadu Act* 23 *of* 1959.—In section 18 of the principal Act,—

(*a*) in the marginal heading, for the word " cess," the word " fee " shall be substituted ;

(*b*) for sub-sections (1) and (2), the following sub-sections shall be substituted, namely :—

" (1) The market committee shall levy a fee on any notified agricultural produce bought or sold in the notified market area at a rate not exceeding forty-five paise and subject to a minimum of twenty-five paise for every hundred rupees of the aggregate amount, for which the notified agricultural produce is bought or sold whether for cash or for deferred payment or other valuable consideration.

Explanation I.—For the purposes of this sub-section, all notified agricultural produce taken out or proposed to be taken out of a notified market area shall, unless the contrary is proved, be presumed to be bought or sold within such area.

Explanation II.—In the determination of the amount of the fees payable under this Act, any fraction of ten paise less than five paise shall be disregarded and any fraction of ten paise equal to or exceeding five paise shall be regarded as ten paise.

(2) The fee referred to in sub-section (1) shall be paid by the purchaser of the notified agricultural produce concerned ;

Provided that where the purchaser of a notified agricultural produce cannot be identified, the fee shall be paid by the seller" ;

(*c*) sub-section (3) shall be omitted ;

(*d*) in sub-section (4), in clause (*b*), the word "cess" shall be omitted.

4. *Amendment of section* 23, *Tamil Nadu Act* 23 *of* 1959.—In section 23 of the principal Act, in sub-section (1), the words "or cess" shall be omitted.

5. *Amendment of section* 25, *Tamil Nadu Act* 23 *of* 1959.—In section 25 of the principal Act, in clause (*a*), the word "cess" shall be omitted.

6. *Amendment of section* 26, *Tamil Nadu Act* 23 *of* 1959.—In section 26 of the principal Act.—

(1) in the marginal heading, the word "cess" shall be omitted ;

(2) the word "cess" in the two places where it occurs, shall be omitted.

7. *Amendment of section* 27, *Tamil Nadu Act* 23 *of* 1959.—In section 27 of the principal Act, in clause (*a*), the word "cess" in the three places where it occurs, shall be omitted.

8. *Amendment of section* 28, *Tamil Nadu Act* 23 *of* 1959.—In section 28 of the principal Act,—

(1) in the marginal heading, the word "cess" shall be omitted ;

(2) the word "cess" shall be omitted.

9. *Amendment of section* 29, *Tamil Nadu Act* 23 *of* 1959.—In section 29 of the principal Act, in sub-section (2), in clause (vi), for the word "cess," the word "fees" shall be substituted.

10. *Amendment of section* 31, *Tamil Nadu Act* 23 *of* 1959.—In section 31 of the principal Act,—

(1) in the marginal heading, the word "cess" shall be omitted ;

(2) the word "cess" in the four places where it occurs, shall be omitted.

11. *Repeal of Tamil Nadu Ordinance* 3 *of* 1970.—The Tamil Nadu Agricultural Produce Markets (Second Amendment) Ordinance, 1970 (Tamil Nadu Ordinance 3 of 1970) is hereby repealed.